

JURISDICTION:

**MAINE**

General Reference:

This chapter summarizes Maine State statutes related to speed. Maine Revised Statutes Annotated (MRSA) & Code of Maine Rules (CMR)

Basis for a Speed Law Violation:

Basic Speed Rule:

A person shall operate a vehicle at a careful and prudent speed not greater than is reasonable and proper having due regard to the traffic, surface and width of the way and of other conditions then existing. Title 29-A, §2074

Statutory Speed Limit:

45 MPH on all other public ways Title 29-A, §2074(1)(D) **Important.** For maximum speed limits on the Maine Turnpike and interstate and divided controlled-access highways, see I under Posted (Maximum) Speed Limit below.  
25 MPH in business or residential districts Title 29-A, §2074(1)(C)  
15 MPH when passing a school during recess or when the students are going to or leaving the school Title 29-A, §2074(1)(A)

Posted (Maximum) Speed Limit:

I. The State is authorized to increase or decrease the above speed limits.<sup>1</sup> However, no posted speed limit can exceed 65 MPH for the Maine Turnpike and interstate or divided controlled-access highways or 60 MPH for all other roads. Title 23, §1973(2) & Title 29-A, §2073(1)(C)  
II. A local government may alter speed limits. However, such alteration cannot be contrary to the State speed laws. Title 29-A, §2075(3)

Minimum Speed Limit:

A person may not operate a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic. Title 29-A, §2075(1)

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State may establish a minimum speed limit on a public way. Title 29-A, §2075(1)

Other:

A school bus may not be operated >45 MPH when transporting students. At other times, such vehicles cannot be operated at a speed >55 MPH. Title 29-A, §2074(1)(E)

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

Speed Law Violations are Non-Criminal Traffic Infractions. Title 29-A, §§101, 104 & 103(1)

Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years, Etc.):

**None**

Mandatory Minimum Term:

Fine:

<sup>1</sup>Note: Maine law does not specifically state whether different highway speed limits may be established either for different types of vehicles, for various weather conditions or for different times of the day.

**MAINE**

Amount (\$ Range):	<b>\$25 to \$500<sup>2</sup></b> Title 29-A, §§103 & 2604
Mandatory Min. Fine (\$):	<b>\$25</b> Title 29-A, §104 For exceeding the 65 MPH speed limit by <30 MPH on the Maine Turnpike or an interstate highway- <b>\$50</b> Title 29-A, §2074(3-A)
Other Penalties:	
Traffic School:	A person, who completes a defensive driving course, will have their demerit point total reduced by 3 points. This can only occur once in a 12 month period. Rules for Administrative Suspension Relating to Demerit Point Accumulation, Convictions and Adjudications (Chapter 1, 29A-250)
Other:	<b>School Zone.</b> The scheduled fine is <b>double</b> the usual amount for exceeding the speed limit in a school zone. Title 29-A, §2074(3-B) <b>Surcharges.</b> Twelve percent (12%) and 2% surcharges must be imposed on any fine for the respective purposes of funding jail/criminal operations and the Community Policing Institute. 4 MRSA §§1057 & 1057-A
Licensing Action:	
Type of Licensing Action (Susp/Rev):	<b>Suspension<sup>3</sup></b> Title 29-A, §§103(3) and 2458(2)(B) & (C)
Term of License Withdrawal (Days, Months, Years, etc.):	<b>15 days</b> If a person has had <u>3 previous suspensions</u> within 3 years- <b>120 days</b>
Mandatory Minimum Term of Withdrawal:	<b>None</b> Note: Suspension action is discretionary with the licensing agency.
Miscellaneous Sanctions Not Included Elsewhere:	In addition to or in lieu of any other sanction for a traffic law violation, a court may suspend an offender's license for not more than 60 days. Title 29-A, §2418
<u>Other Criminal Actions Related to Speeding:</u>	
<u>Exceeding Speed Limit by 30 MPH:</u>	Class E Crime Title 29-A, §2074(3)
Sanctions:	
Criminal Sanction:	
Imprisonment (Term):	Not more than <b>6 months</b> Title 17-A, §1252(2)(E)

<sup>2</sup>Within these limits, the Chief Judge of the District Court establishes a fine schedule for traffic infractions. Title 4, §164(12)(B)

<sup>3</sup>**Point System.** I. An offender's license may be suspended for up to 15 days if they accumulate 12 points within 1 year. If the offender has had 3 previous suspension within 3 years, they are subject to a suspension for up to 120 days. II. The following points are assigned for speeding or speed related offenses: Exceeding the speed limit by ≥15 but <30 MPH-6 points; exceeding the speed limit by <15 MPH-4 points; excessive acceleration-4 points; imprudent driving or speeding-4 points; failure to reduce speed on curve-2 points; obstructing the flow of traffic-2 points; speed under the posted minimum-2 points; and, squealing tires-2 points. Title 29-A, §2458(2)(C) & (3) and Rules for Administrative Suspension Relating to Demerit Point Accumulation, Convictions and Adjudications (Chapter 1, 29A-250)

Mandatory Minimum Term:	<b>None</b>
Fine (\$ Range):	Not more than <b>\$1,000</b> Title 17-A, §1301(1-A)(E)
Mandatory Minimum Fine:	<b>None</b>
Administrative Licensing Action: Licensing Authorized and Type of Action:	<b>Suspension</b> Title 29-A, §2458(C) & Rules for Administrative Suspension Relating to Demerit Point Accumulation, Convictions and Adjudications (Chapter 1, 29A-250)
Length of Term of Licensing Withdrawal:	<b>30 days</b> Title 29-A, §2458(C) & Rules for Administrative Suspension Relating to Demerit Point Accumulation, Convictions and Adjudications (Chapter 1, 29A-250)
Mandatory Action--Minimum Length of License Withdrawal:	<b>None</b>
Other:	I. An offender may be sentenced to perform community service for the benefit of the State, a local government, a school district or other public entity. Title 17-A, §1345 II. In addition to or in lieu of any other sanction for a traffic law violation, a court may suspend an offender's license for not more than 60 days. Title 29-A, §2418 III. <b>Surcharges.</b> Twelve percent (12%) and 2% surcharges must be imposed on any fine for the respective purposes of funding jail/criminal operations and the Community Policing Institute. 4 MRSA §§1057 & 1057-A
<u>Driving to Endanger</u> <sup>4</sup> : Sanction:	Class E Crime Title 29-A, §2413(1)
Criminal: Imprisonment (Term):	Not more than <b>6 months</b> Title 17-A, §1252(2)(E)
Mandatory Minimum Term of Imprisonment:	<b>None</b>
Fine (\$ Range):	Not more than <b>\$1,000</b> Title 17-A, §1301(1-A)(E)
Mandatory Minimum Fine:	<b>None</b>
Administrative Licensing Actions: Type of Licensing Action (Susp/Rev):	<b>Suspension</b> Title 29-A, §§2413(3) & 2458(2)(H)
Length of Term of License Withdrawal Action:	<b>30 to 180 days</b> Title 29-A, §2413(3)
Mandatory Term of License Withdrawal Action:	<b>30 days</b> Title 29-A, §2413(3)
<u>Other Criminal Actions Related to Speeding:</u> (continued)	
<u>Driving to Endanger:</u> Other:	I. An offender may be sentenced to perform community service for the benefit of the State, a local government, a school district or other public entity. Title 17-A, §1345

---

<sup>4</sup>A person commits this offense if they operate a motor vehicle in a manner that endangers the property of another. This includes the property of either the operator or a passenger in the vehicle. Title 29-A, §2413(1)

MAINE

II. In addition to or in lieu of any other sanction for a traffic law violation, a court may suspend an offender's license for not more than 60 days. Title 29-A, §2418

III. **Surcharges.** Twelve percent (12%) and 2% surcharges must be imposed on any fine for the respective purposes of funding jail/criminal operations and the Community Policing Institute. 4 MRSA §§1057 & 1057-A

Commercial Motor Vehicle (CMV) Operators:

Grounds for Suspension:

A person's CDL is suspended if, while driving a CMV, they either (1) commit 2 "serious traffic violations" within a 3 year period or (2) commit 3 such violations within a 3 year period. Title 29-A, §§1253 & 2458(2)(M) and CMR 29-250-006 (§5)

Period of Suspension:

2 serious violations (within 3 years)-Not less than **60 days** 3 serious violations (within 3 years)-Not less than **120 days** Title 29-A, §§1253 & 2458(2)(M) and CMR 29-250-006 (§5)

Period of Mandatory Suspension:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** Title 29-A, §§1253 & 2458(2)(M) and CMR 29-250-006 (§5)

---

<sup>5</sup>A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of ≥26,001 lbs., is a bus or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. Title 29-A, §101(17)

<sup>6</sup>A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. CMR 29-250-006 (§2(H)(1) & (2))